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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF:

GROUP: 1633

Masatoshi TOHATA, et al.

SERIAL NO: 10/578,613

EXAMINER: POPA, ILEANA

FILED: March 12, 2007

FOR: RECOMBINANT MICROORGANISM

RESTRICTION RESPONSE

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

Sir:

In response to the Restriction Requirement dated October 1, 2009, Applicants provisionally elect, with traverse, the following species, for examination purposes only,

(1) "rocR" as the single species of *Bacillus subtilis* gene (claims 1-7 readable thereon).

Remarks/Arguments begin on page 2 of this paper.